

**DATES:** Submit comments up to November 23, 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 Tonya Whigham who may be reached at [PRA\\_BurdenComments@state.gov](mailto:PRA_BurdenComments@state.gov) or at 202–485–7586.

**SUPPLEMENTARY INFORMATION:**

- *Title of Information Collection:* Petition to Classify Special Immigrant Under INA 203(b)(4) as an Employee or Former Employee of the U.S. Government Abroad, or the Surviving Spouse or Child of an Employee of the U.S. Government Abroad.

- *OMB Control Number:* 1405–0082.
- *Type of Request:* Extension of a Currently Approved Collection.
- *Originating Office:* CA/VO.
- *Form Number:* DS–1884.
- *Respondents:* Aliens petitioning for immigrant visas under INA 203(b)(4) as a special immigrant described in INA section 101(a)(27)(D).

- *Estimated Number of Respondents:* 600.

- *Estimated Number of Responses:* 600.

- *Average Time per Response:* 10 minutes.

- *Total Estimated Burden Time:* 100 hours.

- *Frequency:* Once per petition.
- *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, will be available for public review.

**Abstract of Proposed Collection**

DS–1884 solicits information from applicants claiming employment-based immigrant visa preference under section 203(b)(4) of the Immigration and Nationality Act based on qualification as a special immigrant described in section 101(a)(27)(D) of the Immigration and Nationality Act. An applicant may file the DS–1884 petition within one year of notification by the Department of State that the Secretary has approved a recommendation for special immigrant status. DS–1884 solicits information that will assist the consular officer in ensuring that the applicant is statutorily qualified to receive such status, including meeting the years of service and exceptional service requirements.

Additionally, The Emergency Security Supplemental Appropriations Act (ESSAA), signed into law on July 30, 2021, amends section 101(a)(27)(D) of the Immigration and Nationality Act (INA) to extend eligibility for special immigrant status to the surviving spouse and children of an employee of the United States government abroad, provided the employee performed faithful service for not less than 15 years or was killed in the line of duty regardless of years of service. These provisions are effective as of June 30, 2021 and apply retroactively. Pursuant to INA section 204(a)(1)(G)(ii), applicants seeking classification under INA 203(b)(4) to obtain special immigrant status under INA section 101(a)(27)(D) must file a petition with the Secretary of State by submitting Form DS–1884. Form DS–1884 was amended under emergency authority on April 26, 2022, to accommodate this new category of applicants. The Department is proposing to make these emergency amendments permanent as part of this renewal.

**Methodology**

The applicant can obtain a paper copy of the petition from consular posts abroad. The applicant can obtain an electronic copy through the Department’s website, [travel.state.gov](http://travel.state.gov). The petition available on the Department’s website allows an applicant to complete the petition

electronically and then submit the completed form to post.

**Julie M. Stuft,**

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

[FR Doc. 2022–23070 Filed 10–21–22; 8:45 am]

**BILLING CODE 4710–06–P**

**SURFACE TRANSPORTATION BOARD**

**[Docket No. AB 603 (Sub–No. 5X)]**

**V and S Railway, LLC—Abandonment Exemption—in Franklin County, Mo.**

V and S Railway, LLC (V&S) has filed a verified notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments* to abandon an approximately 9.71-mile segment of rail line in Franklin County, Mo., between approximately milepost 61.89 at Union and milepost 71.6 at Beaufort (the Line). The Line traverses U.S. Postal Service Zip Codes 63013 and 63084.

V&S has certified that: (1) no local traffic has moved over the Line for at least two years;<sup>1</sup> (2) because the Line is not a through line, there is no overhead traffic on the Line that would need to be rerouted; (3) no formal complaint filed by a user of rail service on the Line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the Line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of a complainant within the two-year period; and (4) the requirements at 49 CFR 1105.7(b) and 1105.8(c) (notice of environmental and historic reports), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

<sup>1</sup> V&S states that it never provided service over the Line. V&S further states that it acquired the Line subject to a lease with Central Midland Railway Company (CMRC), and that in March 2022, CMRC received an exemption to discontinue its operations over the Line. *Cent. Midland Ry.—Discontinuance of Serv. Exemption—in Franklin Cnty., Mo.*, AB 1070 (Sub–No. 4X) (STB served Mar. 18, 2022). V&S notes that in CMRC’s discontinuance filing, CMRC certified that no local service has moved over the Line in over two years.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received,<sup>2</sup> this exemption will be effective on November 23, 2022,<sup>3</sup> unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>4</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2), and interim trail use/rail banking requests under 49 CFR 1152.29 must be filed by November 3, 2022.<sup>5</sup> Petitions to reopen and requests for public use conditions under 49 CFR 1152.28 must be filed by November 14, 2022.

All pleadings, referring to Docket No. AB 603 (Sub-No. 5X), 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 V&S's representative, Eric M. Hocky, Clark Hill, PLC, Two Commerce Square, 2001 Market St., Suite 2620, Philadelphia, PA 19103.

If the verified notice contains false or misleading information, the exemption is void ab initio.

V&S has filed a combined environmental and historic report that addresses the potential effects, if any, of the abandonment on the environment and historic resources. OEA will issue a Draft Environmental Assessment (Draft EA) by October 28, 2022. The Draft EA will be available to interested persons on the Board's website, by writing to OEA, or by calling OEA at (202) 245-0294. Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877-8339. Comments on environmental or historic preservation matters must be filed within 15 days after the Draft EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking

<sup>2</sup> Persons interested in submitting an OFA must first file a formal expression of intent to file an offer, indicating the type of financial assistance they wish to provide (i.e., subsidy or purchase) and demonstrating that they are preliminarily financially responsible. See 49 CFR 1152.27(c)(2)(i).

<sup>3</sup> V&S states that it intends to consummate the abandonment of the Line on or after November 17, 2022. V&S may not abandon the Line before the exemption becomes effective.

<sup>4</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Serv. Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>5</sup> Filing fees for OFAs and trail use requests can be found at 49 CFR 1002.2(f)(25) and (27), respectively.

conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), V&S shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the Line. If consummation has not been effected by V&S's filing a notice of consummation by October 24, 2023, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

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

Decided: October 19, 2022.

By the Board, Mai T. Dinh, Director, Office of Proceedings.

**Regena Smith-Bernard,**  
*Clearance Clerk.*

[FR Doc. 2022-23069 Filed 10-21-22; 8:45 am]

**BILLING CODE 4915-01-P**

## **SURFACE TRANSPORTATION BOARD**

**[Docket No. FD 36397]**

### **Wisconsin Central, Ltd.—Petition for Declaratory Order—Interchange With Soo Line Railroad Company**

This proceeding derives from an April 14, 2020 petition for declaratory order filed by Wisconsin Central, Ltd. (CN), regarding the interchange of traffic from Soo Line Railroad Company (CP) to CN in the Chicago, Ill., area. On October 30, 2020, the Board served a decision denying the relief sought by the petition. CN appealed the Board's decision to the United States Court of Appeals for the Seventh Circuit, which vacated the Board's decision and remanded the matter to the Board.

On February 2, 2022, CN filed a post-remand brief. CP moved to strike CN's post-remand brief on February 14, 2022, and later filed a separate reply to it. Thereafter, CN filed a reply to CP's reply, which CP then asked the Board to reject.

For the reasons explained below, the Board will deny CP's motion to strike CN's post-remand brief and CP's request to reject CN's reply to reply. The Board also will solicit comments from stakeholders and other interested persons on the issues presented in this proceeding.

### **Background**

From 2010 to 2019, CP and CN mainly interchanged Chicago-area traffic at Spaulding,<sup>1</sup> near Bartlett, Ill. *Soo Line*

<sup>1</sup> CN states that during that time, some traffic, especially toxic-by-inhalation hazardous materials, was moved by the parties to Clearing Yard, owned by the Belt Railway of Chicago, for interchange. (CN Post-Remand Brief 1, 4.)

*R.R.—Pet. for Declaratory Ord. & Prelim. Inj.—Interchange with Canadian Nat'l*, FD 36299, slip op. at 1–2 (STB served Nov. 29, 2019). However, in 2019 CN sought to move the Spaulding interchange traffic elsewhere. *Id.* at 1–2. CN first designated Kirk Yard in Gary, Ind., but CP objected and sought relief from the Board, requesting that the Board order CN to continue to receive CP cars at Spaulding unless a replacement location was agreed upon or the Board prescribed a replacement location. *Id.* at 2. Pending the Board's decision regarding Kirk Yard in Docket No. 36299, the parties signed an interim agreement in August 2019 in which they agreed to move the Spaulding interchange traffic to Clearing Yard (Clearing), owned by the Belt Railway of Chicago (BRC).<sup>2</sup> *Id.* at 2–3. Subsequently, the Board concluded that CN could not designate Kirk Yard for interchange with CP because it was not a reasonable interchange location, while also declining to address the reasonableness of interchange at Clearing. *Id.* at 3–4, 7.

On April 14, 2020, CN filed a petition for a declaratory order seeking a ruling under 49 U.S.C. 10742, which states:

A rail carrier providing transportation subject to the jurisdiction of the Board under this part shall provide reasonable, proper, and equal facilities that are within its power to provide for the interchange of traffic between, and for the receiving, forwarding, and delivering of passengers and property to and from, its respective line and a connecting line of another rail carrier or of a water carrier providing transportation subject to chapter 137.

CN asked the Board to declare that: (1) CN may designate Clearing to receive interchange traffic from CP; and (2) each railroad must bear its own costs for those interchanges, including payment by the delivering carrier of BRC's switching fees. (Pet. 1, 3–4.) By decision served on October 30, 2020, the Board held that CN could not unilaterally designate Clearing as the interchange point and it therefore was not necessary to reach the issue of whether CN and CP must bear their own costs. *Wis. Cent. Ltd.—Pet. for Declaratory Ord.—Interchange with Soo Line R.R.*, FD 36397, slip op. at 4 (STB served Oct. 30, 2020). The Board found that, pursuant to precedent, when two carriers physically intersect, the receiving carrier is required to designate a point on its own line where it will receive traffic and to provide a free route over its tracks to that point but that when the

<sup>2</sup> CN, CP, and four other Class I railroads are co-owners of BRC. *Wis. Cent. Ltd.*, FD 36397, slip op. at 1 n.2.