You must include the DS form number (if applicable), information collection title, and the OMB control number in any correspondence.

SUPPLEMENTARY INFORMATION:

- *Title of Information Collection:* Shrimp Exporter's/Importer's Declaration.
- *OMB Control Number:* 1405–0095.
- *Type of Request:* Revision of a Currently Approved Collection.
- *Originating Office:* Bureau of Oceans and International Environmental and Scientific Affairs, Office of Marine Conservation (OES/OMC).
- *Form Number:* DS–2031.
- *Respondents:* Business or other for-profit organizations.
- *Estimated Number of Respondents:* 3,000.
- *Estimated Number of Responses:* 10,000.
- *Average Time per Response:* 10 minutes.
- *Total Estimated Burden Time:* 1,666 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 DS–2031 form is necessary to document imports of shrimp and products from shrimp pursuant to the State Department's implementation of Section 609 of Public Law 101–162, which prohibits the entry into the United States of shrimp harvested in ways which are harmful to sea turtles. Respondents are exporters of shrimp and products from shrimp and government officials in countries that export shrimp and products from shrimp to the United States. The importer is required to present the DS–2031 form at the port of entry into the United States, to retain the DS–2031 form for a period of three years subsequent to entry, and during that time to make the DS–2031 form available to U.S. Customs and Border Protection or the Department of State upon request.

Methodology

The DS–2031 form is completed by the exporter, the importer, and under certain conditions a government official of the harvesting country. The DS–2031 form accompanies shipments of shrimp and shrimp product to the United States and is to be made available to U.S. Customs and Border Protection at the time of entry and for three years after entry.

Mahlet N. Mesfin,

Deputy Assistant Secretary for Oceans, Fisheries, and Polar Affairs, Department of State.

[FR Doc. 2023–24688 Filed 11–7–23; 8:45 am]

BILLING CODE 4710–09–P

STATE JUSTICE INSTITUTE

SJI Board of Directors Meeting, Notice

AGENCY: State Justice Institute.

ACTION: Notice of meeting.

SUMMARY: The purpose of this meeting is to consider grant applications for the 1st quarter of FY 2024, and other business.

DATES: The SJI Board of Directors will be meeting on Monday, December 4, 2023 at 1 p.m. ET.

ADDRESSES: SJI Headquarters, 12700 Fair Lakes Circle, Suite 340, Fairfax, Virginia.

FOR FURTHER INFORMATION CONTACT: Jonathan Mattiello, Executive Director, State Justice Institute, 12700 Fair Lakes Circle, Suite 340, Fairfax, VA 22033, 703–660–4979, *contact@sji.gov.*

(Authority: 42 U.S.C. 10702(f).)

Jonathan D. Mattiello,

Executive Director.

[FR Doc. 2023–24695 Filed 11–7–23; 8:45 am]

BILLING CODE 6820–SC–P

SURFACE TRANSPORTATION BOARD

[Docket No. AB 578X]

Austin Area Terminal Railroad, Inc—Discontinuance of Service Exemption—In Bastrop, Burnet, Lee, Llano, Travis, and Williamson Counties, Texas

On December 30, 2022, the Board, by decision of the Director of the Office of Proceedings (Director), rejected the verified notice of exemption filed by Austin Area Terminal Railroad, Inc. (AATR) to discontinue service over an approximately 162-mile line in Texas because the required certification concerning the absence of local traffic on the line was deficient. AATR appealed that decision. For the reasons discussed below, the Board will deny the appeal. Nevertheless, the Board will grant on its own motion an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903 permitting AATR to discontinue common carrier rail service over the line.

Background

On November 30, 2022, AATR filed a verified notice of exemption under 49 CFR 1152.50 to discontinue common carrier rail service over approximately 162 miles of rail line owned by Capital Metropolitan Transportation Authority, located between milepost AUNW–MP 0.0 (SPT–MP 57.00), west of Giddings, and milepost AUNW–MP 154.07 (SPT–MP 99.04), at Llano, including the Marble Falls Branch (6.43 miles), the Scobee Spur (3.3 miles), and the Burnet Spur (0.93 miles) in Bastrop, Burnet, Lee, Llano, Travis, and Williamson Counties, Tex. (the Lines).

According to AATR, it received Board authority to provide common carrier service over the Lines in 2002, replacing its parent company, Trans-Global Solutions Inc., as operator. *See Austin Area Terminal R.R.—Change in Operators Exemption—Trans-Glob. Sols., Inc.,* FD 33972 (STB served Dec. 20, 2000); *see also Trans-Glob. Sols., Inc.—Operation Exemption—Cap. Metro. Transp. Auth.,* FD 33860 (STB served Apr. 4, 2000). AATR's verified notice states, however, that it has not operated over the Lines in many years and that the Lines are presently operated by Austin Western Railroad, L.L.C. (AWRR), a rail carrier unaffiliated with AATR. (Verified Notice 1–2.) [1]

On December 30, 2022, the Director rejected the notice, noting that, under 49

[1] *See Austin W. R.R.—Operation Exemption—Cap. Metro. Transp. Auth.,* FD 35072 (STB served Sept. 14, 2007).

CFR 1152.50(b), ''[a]n abandonment or discontinuance of service or trackage rights is exempt if the carrier certifies that no local traffic has moved over the line for at least 2 years . . . .'' The Director observed that, although AATR certified that *it* had not provided service over the Lines for at least two years, AATR also noted that the Lines were ''presently operated'' by AWRR. *Austin Area Terminal R.R.—Discontinuance of Service Exemption—in Bastrop, Burnet, Lee, Llano, Travis, & Williamson Cntys., Tex.,* AB 578X, slip op. at 1 (STB served Dec. 30, 2022). Thus, because AATR had not certified that there had been *no* local traffic on the Lines during the preceding two years, the Director found that the verified notice did not meet the requirements of the two-year out-of-service provision at 49 CFR 1152.50.

On appeal, AATR argues, among other things, that granting its appeal would be consistent with certain agency precedent accepting carrier-specific, two-year-out-of-service certifications—allowing invocation of the discontinuance class exemption when a carrier has certified that it has handled no traffic (local or otherwise) for at least two years, regardless of whether the line in question has hosted common carrier operations by other railroads in the past two years. (AATR Appeal 6.) AATR further asserts that not allowing carrier-specific certifications would unnecessarily increase regulatory barriers to industry exit and, in turn, would discourage honest and efficient management of railroads, contrary to the objectives of 49 U.S.C. 10101(7) and (9).[2] (AATR Appeal 10.)

Discussion and Conclusions

Under 49 CFR 1011.7(a)(2)(x), the Board has delegated to the Director the authority to determine whether to issue notices of exemption. The Board, however, has reserved for itself the consideration and disposition of all appeals of initial decisions issued by the Director. *See* 49 CFR 1011.2(a)(7). In this proceeding, AATR argues that the Director erred in rejecting its verified notice of exemption. On appeal, the Board considers whether the notice was properly rejected under the circumstances presented. *See, e.g., Ill. Cent. R.R.—Aban. Exemption—in Champaign Cnty., Ill.,* AB 43 (Sub-No. 189X), slip op. at 3 (STB served July 2, 2015).

The Board finds that the verified notice was properly rejected. First, the Director's application of 49 CFR 1152.50(b) is consistent with the literal language of the regulation, which states that ''[a]n abandonment or discontinuance of service or trackage rights is exempt if the carrier certifies that *no local traffic* has moved over the line for at least 2 years . . . .'' (emphasis added). Indeed, the final rule adopting the discontinuance class exemption noted that the meaning of ''out of service'' for the purpose of that exemption is the same as in the rulemaking establishing the class exemption for abandonments. *Exemption of Out of Serv. Rail Lines (Discontinuance of Serv. & Trackage Rts.),* 1 I.C.C.2d 55, 56 (1984). The abandonment rulemaking defined ''out of service'' rail lines as those lines where there had been ''*no* traffic originating or terminating on the line for at least 2 years.'' *Exemption of Out of Serv. Rail Lines,* 366 I.C.C. 885, 887 (1983) (emphasis added). Further, the final rule adopting the discontinuance class exemption noted that such discontinuances were limited in scope, having ''little or no competitive or operational impact,'' because they ''w[ould] usually pertain to short-line segments with *no* shippers,'' and that regulation was ''not needed to protect shippers from the abuse of market power, because the lines *would not have been used by shippers* for at least 2 years.'' *Exemption of Out of Serv. Rail Lines (Discontinuance of Serv. & Trackage Rights),* 1 I.C.C.2d at 57 (emphasis added).

The Director's ruling was also consistent with the discussion in *CSX Transportation in Jefferson & Indiana Counties, Pa.,* AB 55 (Sub-No. 453X) (ICC served Nov. 27, 1992), cited by the Director in the challenged order. There, the agency explained that the ''test [under the regulation] is not whether [the discontinuing carrier] has provided any local service over the line in the past 2 years but whether there has been any local service on the line during that period.'' *CSX Transp.,* AB 55 (Sub-No. 453X), slip op. at 2.[3] Although AATR characterizes *CSX Transportation* as ''obscure,'' (AATR Appeal 6), in none of the cases AATR cites did the agency squarely address the issue here: whether the regulation requires the discontinuing carrier to certify that no local traffic at all—as opposed to just its own—has moved over the line for at least two years. Nor did any party in the decisions cited by AATR challenge the adequacy of a carrier-specific certification versus one covering all local traffic on the line.[4]

The Board acknowledges that carrier-specific certifications in two-year-out-of-service discontinuance proceedings have been more recently accepted without challenge or controversy. *See, e.g., Minn. Com. Ry.—Discontinuance of Trackage Rts. Exemption—in Anoka, Hennepin, Ramsey, & Wash. Cntys., Minn.,* AB 882 (Sub-No. 4X) (STB served May 20, 2020); *Wheeling & Lake Erie Ry.—Discontinuance of Serv. Exemption—in Erie Cnty., Ohio,* AB 227 (Sub-No. 13X) (STB served Mar. 22, 2019); *All. Terminal R.R.—Discontinuance of Serv. & Discontinuance of Trackage Rts. Exemption—in Denton & Tarrant Cntys., Tex.,* AB 1262X (STB served Apr. 23, 2018). Moreover, as the Board has explained previously, discontinuance of trackage rights that have not been operated for at least two years is unlikely to negatively impact shippers, ''especially . . . because a discontinuance of trackage rights still leaves [at least the] line owner in place to conduct service.'' *See Norfolk S. Ry.—Acquis. & Operation—Certain Rail Lines of the Del. & Hudson Ry.,* FD 35873, slip op. at 20 (STB served May 15, 2015).

Nevertheless, to resolve the inconsistency, the Board clarifies that the regulation should be applied as written and as intended at the time of its adoption. Carriers using the two-year-out-of-service notice must certify that *no local traffic* has moved over the line for two years, not just their own traffic. The Board further notes that carriers may petition for individual exemptions under 49 U.S.C. 10502(a). While the individual exemption process

[2] AWRR and its parent company, Watco Holdings, Inc., filed a joint pleading on January 20, 2023, confirming AWRR's role providing common carrier service on the Lines and noting their general support for AATR's discontinuance efforts.

[3] The ICC later acknowledged the findings in *CSX Transportation* in a subsequent decision by the entire Commission. *See Buffalo & Pittsburgh R.R.—Discontinuance & Aban. Exemption—Between DC Tower & Homer City, in Jefferson & Ind. Cntys., Pa.,* AB 369 (Sub-No. 2X) et al., slip op. at 2 n.3 (ICC served Nov. 17, 1993) (explaining that the notice in *CSX Transportation* was ''rejected because CSXT had failed to certify that there was no local traffic on the Line'').

[4] AATR notes that in *Delaware & Hudson Railway—Discontinuance of Trackage Rights Exemption—in Broome County, N.Y.,* AB 156 (Sub-No. 27X) (STB served Oct. 18, 2016), the Board rejected several challenges to the notice of exemption, ''including one focused on the accuracy of [the carrier's] certification.'' (AATR Appeal 9.) Questions were raised in that proceeding about whether the discontinuing carrier had in fact conducted local traffic on the relevant lines in the last two years. *See, e.g.,* Reply to D&H Reply to Pet. to Revoke at 7, May 12, 2015, *Del. & Hudson,* AB 156 (Sub-No. 27X) (arguing that if any of the traffic that ''D&H carries'' on the trackage rights lines is local traffic, then the ''Exemption Notice fails''). But no party in *Delaware & Hudson* argued that carrier-specific certifications, in general, do not qualify for the class exemption, and the Board accepted the certification there—as it did in all the decisions cited by AATR—without discussing the issue raised in the Director's order or in *CSX Transportation.*

is less streamlined than the class exemption procedures, it still provides an avenue for obtaining ''expedite[d] decisions'' with ''minimize[d] regulatory burdens'' in uncontested or noncontroversial proceedings involving rail line abandonments and discontinuances. *See, e.g., Minn. N. R.R.—Aban. Exemption—Between Redland Junction & Fertile, in Polk Cnty., Minn.,* AB 497 (Sub-No. 2X), slip op. at 11 n.17 (STB served Nov. 14, 1997) (''Detailed revenue and cost analysis is generally reserved for the application process . . . .'') Indeed, the Board has readily granted petitions for exemption to discontinue unused trackage rights in appropriate circumstances where there would be no impact on service. *See, e.g., Idaho N. & Pac. R.R.—Discontinuance of Trackage Rts. Exemption—in Canyon, Payette, & Wash. Cntys.,* AB 433 (Sub-No. 4X) (STB served Jan. 3, 2013) (granting discontinuance authority for one set of overhead trackage rights that had not been used for 17 years, and another that had not been used for three years); *BNSF Ry.—Discontinuance of Trackage Rts.—in Peoria & Tazewell Cntys., Ill.,* AB 6 (Sub-No. 470X) (STB served June 4, 2010) (granting discontinuance authority for overhead trackage rights that had not been used in 28 years).

Therefore, based upon the foregoing, AATR's appeal of the Director's decision rejecting the notice of exemption will be denied. However, as discussed below, the Board will grant on its own motion the discontinuance of rail service by AATR over the lines at issue.

The Sua Sponte Exemption

In rejecting a verified notice of exemption, the Board often requires or suggests that a party file an application or petition for exemption to obtain the necessary authority it seeks. Under the circumstances here, however, and given the sufficiency of the current record, the Board will minimize the burden on AATR by granting an exemption for discontinuance authority over the Lines sua sponte.

Under 49 U.S.C. 10903, a rail carrier may not discontinue operations without the Board's prior approval. Pursuant to 49 U.S.C. 10502(a), however, the Board shall, to the maximum extent possible, exempt a transaction or service from regulation upon finding that (1) regulation is not necessary to carry out the rail transportation policy (RTP) of 49 U.S.C. 10101, and (2) either (a) the transaction or service is of limited scope, or (b) regulation is not needed to protect shippers from the abuse of market power.

Here, detailed scrutiny under 49 U.S.C. 10903 of discontinuance by AATR is not necessary to carry out the rail transportation policy. By minimizing the administrative expense of the application or petition process, an exemption would reduce regulatory barriers to exit. *See* 49 U.S.C. 10101(2), (7), (15). An exemption would also encourage efficient management by relieving AATR of the responsibility of operating over rail lines it has not used in more than 15 years. *See* 49 U.S.C. 10101(9). Further, other aspects of the RTP would not be adversely affected.

Regulation of the proposed discontinuance is also not needed to protect shippers from the abuse of market power.[5] AATR has not operated over the Lines in many years, and shippers may request service from AWRR, which offers common carrier service over the Lines.

Employee Protection. Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a carrier of its statutory obligation to protect the interests of its employees. Accordingly, as a condition to granting this exemption, the Board will impose the employee protective conditions set forth in *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho,* 360 I.C.C. 91 (1979).

Offers of Financial Assistance, Interim Trail Use/Rail Banking, Public Use, and Environmental Review. Typically, in individual exemption proceedings, formal expressions of intent to file an offer of financial assistance (OFA) to subsidize continued rail service are due within 10 days of the **Federal Register** publication giving notice of the petition for exemption. *See* 49 CFR 1152.27(c)(1)(i). These filings must indicate the intent to file an OFA for subsidy and demonstrate that the filers are preliminarily financially responsible. *See* 49 CFR 1152.27(c)(2)(i). In this case, given the Board's sua sponte grant of an exemption, formal expressions of intent must be filed by November 13, 2023.

Provided no formal expression of intent to file an OFA to subsidize continued rail service has been received, this exemption will be effective on December 3, 2023, unless stayed pending reconsideration. And, because this is a discontinuance and not an abandonment, the Board need not consider OFAs to acquire the Lines, interim trail use/rail banking requests under 16 U.S.C. 1247(d), or requests to negotiate for public use of the Lines under 49 U.S.C. 10905. Lastly, because there will be an environmental review if abandonment is sought in the future, environmental review is unnecessary here.

In sum, the Board permits the discontinuance of rail service by AATR over the above-described rail lines, and notice of AATR's exemption will be published in the **Federal Register**.

It is ordered:

1. AATR's appeal of the Director's decision is denied.

2. Under 49 U.S.C. 10502, the Board exempts from the prior approval requirements of 49 U.S.C. 10903 the discontinuance of service by AATR on the above-described lines, subject to the employee protective conditions in *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho,* 360 I.C.C. 91 (1979).

3. Notice of the exemption will be published in the **Federal Register**.

4. This exemption will be effective December 3, 2023.

5. Formal expressions of intent to file an offer of financial assistance (OFA) to subsidize continued rail service are due November 13, 2023.

6. Petitions to reopen and petitions to stay the effectiveness of the exemption must be filed by November 20, 2023.

7. This decision is effective on its service date.

Decided: November 2, 2023.

By the Board, Board Members Fuchs, Hedlund, Oberman, Primus, and Schultz. Board Member Fuchs concurred with a separate expression.

BOARD MEMBER FUCHS, concurring:

I agree with today's decision (Decision) that the Director's interpretation of ''no local traffic''—requiring a line-specific certification—is consistent with the plain meaning of the regulation, Decision 3, and supported by the relevant legal history.[1] I write

[5] Given the Board's finding regarding market power, it need not be determined whether the proposed discontinuance is limited in scope.

[1] The Decision accurately traces the relationship of the discontinuance rulemaking to the abandonment rulemaking, and it faithfully quotes multiple statements in the discontinuance rulemaking preamble that treat phrases such as ''out of service'' and ''no local traffic'' as applying to all carriers on the line, not just the filing carrier. Decision 3. Yet I am troubled that the **Federal Register** notices accompanying the proposed and final rules in the discontinuance proceeding state the exemption can apply when ''no traffic has been handled locally on the line *by the carrier seeking the discontinuance* for at least 2 years.'' *Exemption of Out of Service Lines (Discontinuance of Service and Trackage Rights),* 48 FR 27584 (June 16, 1983) (emphasis added). Ultimately, I find **Federal Register** notices contain a drafting error because the phrase ''by the carrier seeking the discontinuance''

separately to suggest that the Board ought to consider changing this regulation. AATR's appeal understandably cites an extensive list of cases in which the agency has allowed carrier-specific ''no local traffic'' certifications via the notice process, (AATR Appeal 8–9), and—in considering this overwhelming precedent—I find that the Board, to carry out the rail transportation policy (RTP) at 49 U.S.C. 10101, need not routinely subject carriers to the different, more burdensome petition process in similar future cases. Over more than 30 years, the Board has rightly saved taxpayers and many entities, including small businesses, substantial resources by cutting up to 90 days out of the exemption process and eliminating a significant number of unneeded filings and decisions. *See* 49 CFR part 1121 (procedures for petitions for exemption), 49 CFR 1152.60 (special rules for abandonment and discontinuance petitions for exemptions); 49 CFR 1152.50 (exempt abandonments and discontinuances); *see also* 49 U.S.C. 10101(2) (minimizing the need for regulatory control over the rail transportation system), section 10101(7) (reducing regulatory barriers to entry and exit), section 10101(15) (providing for expeditious handling of proceedings). Though not the highest agency priority, the Board should consider, at the appropriate time, amending its discontinuance exemption regulations to allow carrier-specific certifications and once again achieve these savings.[2]

Jeffrey Herzig,

Clearance Clerk.

[FR Doc. 2023–24672 Filed 11–7–23; 8:45 am]

BILLING CODE 4915–01–P

does not appear in the related regulation or preamble. I also note that, after the agency issued the final rule and associated **Federal Register** notice, the D.C. Circuit—in upholding a remand decision that embraced both the abandonment and discontinuance exemption proceedings—stated that the ''originally proposed definition of 'out of service,' which encompassed only rail lines carrying *no traffic at all* for at least two years, had been expanded in the final rule to include lines carrying overhead traffic, *i.e.,* traffic that neither originates nor terminates on a line and can be rerouted over other lines.'' *Ill. Com. Comm'n* v. *ICC,* 848 F.2d 1246, 1249 (D.C. Cir. 1988) (emphasis added).

[2] As part of the rulemaking process, the Board should consider any necessary protections for when a carrier-specific certification would raise problems relevant to carrying out the RTP, particularly with respect to competition. But precedent shows such problems are far from the norm. The suggested future rulemaking could also address any problems or inconsistencies with the agency's treatment of atypical cases. *See e.g., Consol. R. Corp.—Exemption—Aban. of the Weirton Secondary Track in Harrison & Tuscarawas, Cntys., Ohio,* AB 176 (ICC decided June 7, 1989) (revoking a class exemption as applied to the proposed abandonment at issue and finding that a more thorough review of the transaction was necessary to carry out the national rail transportation policy).

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. 2023–1340]

Agency Information Collection Activities: Requests for Comments; Clearance of Renewed Approval of Information Collection: Pilots Convicted of Alcohol or Drug-Related Motor Vehicle Offenses or Subject to State Motor Vehicle Administrative Procedure

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on June 8, 2023. The collection involves receiving and maintaining correspondence required to be sent to the FAA from pilots who have been involved in a drug- or alcohol-related motor vehicle action. The information to be collected will be used to and/or is necessary because the FAA must identify airmen with multiple drug- or alcohol-related motor vehicle actions and verify traffic conviction information in order to support the FAA's Aviation Safety, Office of Aerospace Medicine, Aerospace Medical Certification Division, for their requirements to evaluate the qualifications of that airman to hold a medical certificate.

DATES: Written comments should be submitted by December 8, 2023.

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.* 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: Christopher Marks by email at: *Christopher.Marks@faa.gov;* phone: 405–954–2789.

SUPPLEMENTARY INFORMATION:

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information.

OMB Control Number: 2120–0543.

Title: Pilots Convicted of Alcohol or Drug-Related Motor Vehicle Offenses or Subject to State Motor Vehicle Administrative Procedure.

Form Numbers: FAA Form 1600–85 has been created since the 60 day FRN has been published.

Type of Review: Renewal of an information collection.

Background: The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on June 8, 2023 (88 FR 37596). After a study and audit conducted from the late 1970's through the 1980's by the Department of Transportation, Office of the Inspector General, (DOT/OIG), the DOT/OIG recommended the FAA find a way to track alcohol abusers and those dependent on the substance that may pose a threat to the National Airspace (NAS). Through a Congressional act issued in November of 1990, the FAA established a Driving Under the Influence (DUI) and Driving While Intoxicated (DWI) Investigations Branch. The final rule for this program is found in Title 14 Code of Federal Regulations (CFR)—Part 61 § 61.15.

This regulation calls for pilots certificated by the FAA to send information regarding Driving Under the Influence (or similar charges) of alcohol and/or drugs to the FAA within 60 days from either an administrative action against their driver's license and/or criminal conviction. Part of the regulation also calls for the FAA to seek certificate action should an airman be involved in multiple, separate drug/alcohol related motor vehicle incidents within a three-year period. Information sent by the airmen is used to confirm or refute any violations of these regulations, as well as by the Civil Aerospace Medical Institute (CAMI) for medical qualification purposes. Collection by CAMI is covered under a separate OMB control number 2120–0034.

An airman is required to provide a written report, with the following information: name, address, date of birth, airman certificate number, the type of violation which resulted in the