

to determine whether the proposed rule should be approved or disapproved.

#### IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

##### *Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-NASDAQ-2016-070 on the subject line.

##### *Paper Comments*

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-NASDAQ-2016-070. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NASDAQ-2016-070 and should be submitted on or before June 16, 2016.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>23</sup>

**Robert W. Errett,**  
*Deputy Secretary.*

[FR Doc. 2016-12386 Filed 5-25-16; 8:45 am]

**BILLING CODE 8011-01-P**

#### DEPARTMENT OF STATE

[Public Notice: 9586]

##### **Culturally Significant Objects Imported for Exhibition Determinations: "Ed Ruscha and the Great American West" Exhibition**

**SUMMARY:** Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), E.O. 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236-3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257 of April 15, 2003), I hereby determine that the objects to be included in the exhibition "Ed Ruscha and the Great American West," imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the Fine Arts Museums of San Francisco, de Young Museum, San Francisco, California, from on or about July 16, 2016, until on or about October 9, 2016, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of the imported objects, contact the Office of Public Diplomacy and Public Affairs in the Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6471; email: [section2459@state.gov](mailto:section2459@state.gov)). The mailing address is U.S. Department of State, L/PD, SA-5, Suite 5H03, Washington, DC 20522-0505.

Dated: May 19, 2016.

**Mark Taplin,**  
*Principal Deputy Assistant Secretary, Bureau of Educational and Cultural Affairs,*  
*Department of State.*

[FR Doc. 2016-12617 Filed 5-25-16; 8:45 am]

**BILLING CODE 4710-05-P**

<sup>23</sup> 17 CFR 200.30-3(a)(12).

#### DEPARTMENT OF STATE

[Public Notice: 9584]

##### **Annual Certification of Shrimp-Harvesting Nations**

**AGENCY:** Bureau of Oceans and International Environmental and Scientific Affairs, Department of State.

**ACTION:** Certification.

**SUMMARY:** On May 3, 2016, the Department of State certified that 14 shrimp-harvesting nations have a regulatory program comparable to that of the United States governing the incidental taking of the relevant species of sea turtles in the course of commercial shrimp harvesting and that the particular fishing environments of 26 shrimp-harvesting nations and one economy do not pose a threat of the incidental taking of covered sea turtles in the course of such harvesting.

**DATES:** This notice is effective on May 26, 2016.

**FOR FURTHER INFORMATION CONTACT:** Section 609 Program Manager, Office of Marine Conservation, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State, 2201 C Street NW., Washington, DC 20520-2758; telephone: (202) 647-3263; email: [DS2031@state.gov](mailto:DS2031@state.gov).

**SUPPLEMENTARY INFORMATION:** Section 609 of Public Law 101-162 ("Sec. 609") prohibits imports of certain categories of shrimp unless the President certifies to the Congress by May 1, 1991, and annually thereafter, that either: (1) The harvesting nation has adopted a program governing the incidental capture of sea turtles in its commercial shrimp fishery comparable to the program in effect in the United States and has an incidental take rate comparable to that of the United States; or (2) the particular fishing environment in the harvesting nation does not pose a threat of the incidental taking of sea turtles. The President has delegated the authority to make this certification to the Department of State ("the Department"). The Department's Revised Guidelines for the Implementation of Section 609 were published in the **Federal Register** on July 8, 1999, at 64 FR 36946.

On May 3, 2016, the Department certified 14 nations on the basis that their sea turtle protection programs are comparable to that of the United States: Colombia, Costa Rica, Ecuador, El Salvador, Gabon, Guatemala, Guyana, Honduras, Mexico, Nicaragua, Nigeria, Pakistan, Panama, and Suriname. The Department also certified 26 shrimp-harvesting nations and one economy as

having fishing environments that do not pose a danger to sea turtles. Sixteen nations have shrimping grounds only in cold waters where the risk of taking sea turtles is negligible: Argentina, Belgium, Canada, Chile, Denmark, Finland, Germany, Iceland, Ireland, the Netherlands, New Zealand, Norway, Russia, Sweden, the United Kingdom, and Uruguay. Ten nations and one economy only harvest shrimp using small boats with crews of less than five that use manual rather than mechanical means to retrieve nets or catch shrimp using other methods that do not threaten sea turtles. Use of such small-scale technology does not adversely affect sea turtles. The 10 nations and one economy are: The Bahamas, Belize, China, the Dominican Republic, Fiji, Hong Kong, Jamaica, Oman, Peru, Sri Lanka, and Venezuela.

A completed DS-2031 Shrimp Exporter's/Importer's Declaration must accompany all shipments of shrimp or shrimp product into the United States. Only shrimp or products from shrimp harvested in the 40 certified nations and one economy listed above may be accompanied by a DS-2031 with Box 7(B) checked. All DS-2031 forms accompanying shrimp imports from uncertified nations must be originals with Box 7(A)(1), 7(A)(2), or 7(A)(4) checked, consistent with the form's instructions with regard to the method of production of the product and based on any relevant prior determinations by the Department of State, and signed by a responsible government official of the harvesting nation's competent domestic fisheries authority. The Department has not determined that any uncertified nation qualifies to export shrimp or products of shrimp harvested in a manner as described in 7(A)(3).

Shrimp and products of shrimp harvested with turtle excluder devices (TEDs) in an uncertified nation may, under specific circumstances, be eligible for importation into the United States under the DS-2031 Box 7(A)(2) provision for "shrimp harvested by commercial shrimp trawl vessels using TEDs comparable in effectiveness to those required in the United States." Use of this provision requires that the Department determine in advance that the government of the harvesting nation has put in place adequate procedures to monitor the use of TEDs in the specific fishery in question and to ensure the accurate completion of the DS-2031 forms. At this time, the Department has determined that only shrimp and products of shrimp harvested in the Exmouth Gulf Prawn Fishery, the Northern Prawn Fishery, the Queensland East Coast Trawl Fishery,

and the Torres Strait Prawn Fishery in Australia and shrimp or products of shrimp harvested in the French Guiana domestic trawl fishery are eligible for entry under this provision. Thus, the importation of TED-caught shrimp from any other uncertified nation will not be allowed. A responsible government official of Australia or France must sign in Block 8 of the DS-2031 form accompanying these imports into the United States.

In addition, the Department has determined that shrimp or products of shrimp harvested in the Spencer Gulf region in Australia and Mediterranean red shrimp (*Aristeus antennatus*) harvested in the Mediterranean Sea by Spain may be exported to the United States under the DS-2031 Box 7(A)(4) provision for "shrimp harvested in a manner or under circumstances determined by the Department of State not to pose a threat of the incidental taking of sea turtles." A responsible government official of Australia or Spain must sign in Block 8 of the DS-2031 form accompanying these imports into the United States.

The Department has communicated these certifications and determinations under Section 609 to the Office of International Trade of U.S. Customs and Border Protection.

Dated: May 19, 2016.

**David A. Balton,**

*Deputy Assistant Secretary of State for Oceans and Fisheries, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State.*

[FR Doc. 2016-12544 Filed 5-25-16; 8:45 am]

**BILLING CODE 4710-09-P**

## **SURFACE TRANSPORTATION BOARD**

**[FR-4915-01-P; Docket No. FD 36033]**

### **Reading Blue Mountain & Northern Railroad Company—Acquisition and Operation Exemption—Locust Valley Coal Company d/b/a Locust Valley Line**

Reading Blue Mountain & Northern Railroad Company (RBMN), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire from Locust Valley Coal Company d/b/a Locust Valley Line (Locust Valley), and continue to operate, approximately 5.5 miles of rail line between milepost 0.0 at Laurel Jct., also known as Maria Jct., in Delano Township, and milepost 5.5 beyond Newton Jct., south of Mahanoy City, in Mahanoy Township, in Schuylkill County, Pa. (the Line). The Line is currently being operated by RBMN.

According to RBMN, Locust Valley acquired the 5.5-mile Line but never performed operations on it.<sup>1</sup> RBMN states that the Line (except for approximately one mile near Laurel Jct.) has been out of service for a number of years but has never been abandoned. RBMN also states that Locust Valley rehabilitated the Line and entered into an agreement with RBMN under which RBMN would operate and provide the freight common carrier obligations over the Line.<sup>2</sup>

Under the proposed transaction, Locust Valley will sell the Line to RBMN to allow RBMN to become owner and continue operating it. According to RBMN, the transaction will also allow Locust Valley to divest itself of an asset it no longer wishes to own or needs for its business purposes. RBMN certifies that the agreement does not include an interchange commitment.

RBMN states that its projected annual revenues as a result of this transaction will not result in the creation of a Class II or Class I rail carrier, but that its projected annual revenues would exceed \$5 million. Accordingly, RBMN is required, at least 60 days before this exemption is to become effective, to send notice of the transaction to the national offices of the labor unions with employees on the affected lines, post a copy of the notice at the workplace of the employees on the affected lines, and certify to the Board that it has done so. 49 CFR 1150.42(e).

In the notice, RBMN requests waiver of the 60-day advance labor notice requirement under 1150.42(e), asserting that: (1) No Locust Valley employees will be affected because there are no Locust Valley employees on the Line; and (2) no RBMN employees will be affected because RBMN will continue to provide the same service as it has since 2006. RBMN's waiver request will be addressed in a separate decision.

The parties propose to consummate the transaction no sooner than June 8, 2016, the effective date exemption (30 days after the verified notice of exemption was filed). The Board will establish in the decision on the waiver request the earliest date this transaction may be consummated.

If the notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not

<sup>1</sup> See, *Locust Valley Coal Co. d/b/a Locust Valley Line—Acquis. Exemption—Rail Lines in Schuylkill Cty., Pa.*, FD 34642 (STB served Jan. 21, 2005).

<sup>2</sup> See, *Reading Blue Mountain & N.R.R.—Operation Exemption—Locust Valley Line*, FD 34785 (STB served Dec. 29, 2005).