

custodians for temporary display in the exhibition “Jasper Johns: Mind/Mirror” at the Philadelphia Art Museum, Philadelphia, Pennsylvania, and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Chi D. Tran, Program Administrator, Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6471; email: section2459@state.gov). The mailing address is U.S. Department of State, L/PD, 2200 C Street NW (SA-5), Suite 5H03, Washington, DC 20522-0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 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, and Delegation of Authority No. 236-3 of August 28, 2000.

Matthew R. Lussenhop,

Acting Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2021-19546 Filed 9-9-21; 8:45 am]

BILLING CODE 4710-05-P

SURFACE TRANSPORTATION BOARD

[Docket No. EP 552 (Sub-No. 25)]

Railroad Revenue Adequacy—2020 Determination

AGENCY: Surface Transportation Board.

ACTION: Notice of decision.

SUMMARY: On September 7, 2021, the Board served a decision announcing the 2020 revenue adequacy determinations for the Nation’s Class I railroads. Five Class I railroads (BNSF Railroad Company, CSX Transportation, Inc., The Kansas City Southern Railway Company, Soo Line Corporation, and Union Pacific Railroad Company) were found to be revenue adequate.

DATES: This decision is effective on September 7, 2021.

FOR FURTHER INFORMATION CONTACT: Pedro Ramirez, (202) 245-0333. Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877-8339.

SUPPLEMENTARY INFORMATION: Under 49 U.S.C. 10704(a)(3), the Board is required to make an annual determination of railroad revenue adequacy. A railroad is considered revenue adequate under 49 U.S.C. 10704(a) if it achieves a rate of return on net investment (ROI) equal to at least the current cost of capital for the railroad industry. For 2020, this number was determined to be 7.89% in *R.R. Cost of Capital—2020*, EP 558 (Sub-No. 24) (STB served Aug. 6, 2021). The Board then applied this revenue adequacy standard to each Class I railroad. Five Class I carriers (BNSF Railroad Company, CSX Transportation, Inc., The Kansas City Southern Railway Company, Soo Line Corporation, and Union Pacific Railroad Company) were found to be revenue adequate for 2020.

The decision in this proceeding is posted at www.stb.gov.

Decided: September 3, 2021.

By the Board, Board Members Begeman, Fuchs, Oberman, Primus, and Schultz.

Eden Besera,

Clearance Clerk.

[FR Doc. 2021-19539 Filed 9-9-21; 8:45 am]

BILLING CODE 4915-01-P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36534]

Arkansas-Oklahoma Railroad, Inc.— Lease and Operation Exemption With Interchange Commitment—BNSF Railway Company

Arkansas-Oklahoma Railroad, Inc. (AOK), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to lease from BNSF Railway Company (BNSF) and operate an approximately 10.658 miles of rail line extending between milepost 134.037 and milepost 123.379 on BNSF’s Shawnee Industrial Spur in Shawnee, Okla. (the Line).

The verified notice states that AOK and BNSF have entered into a lease agreement and that AOK will operate the Line after the transaction.

AOK certifies that its projected annual revenues from this transaction will not result in AOK’s becoming a Class I or Class II rail carrier. Pursuant to 49 CFR 1150.42(e), which applies “[i]f the projected annual revenue of the rail lines to be acquired or operated, together with the acquiring carrier’s projected annual revenue, exceeds \$5 million,” AOK certified on July 29, 2021 that notice of the transaction was posted at the workplaces of current BNSF employees on the Line and was being served on the national offices of the labor unions for those employees.

As required under 49 CFR 1150.43(h)(1), AOK has disclosed in its verified notice that its lease agreement with BNSF contains an interchange commitment that affects interchange with carriers other than BNSF.¹ The affected interchange is with Union Pacific Railroad Company at Oklahoma City, Okla. AOK has provided additional information regarding the interchange commitment as required by 49 CFR 1150.43(h).

The earliest this transaction may be consummated is September 27, 2021 (60 days after the certification under 49 CFR 1150.42(e) was filed).

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 automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than September 20, 2021.

All pleadings, referring to Docket No. FD 36534, should be filed with the Surface Transportation Board via e-filing on the Board’s website. In addition, one copy of each pleading must be served on AOK’s representative: Eric M. Hocky, Clark Hill PLC, Two Commerce Square, 2001 Market Street, Suite 2620, Philadelphia, PA 19103.

According to AOK, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at www.stb.gov.

Decided: September 7, 2021.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Kenyatta Clay,

Clearance Clerk.

[FR Doc. 2021-19568 Filed 9-9-21; 8:45 am]

BILLING CODE 4915-01-P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36413 (Sub-No. 1)]

Midwest & Bluegrass Rail, LLC— Control Exemption—Vermilion Valley Railway Company, Inc., Camp Chase Rail, LLC, Youngstown & Southeastern Rail, LLC, Chesapeake & Indiana Railroad Company

Midwest & Bluegrass Rail, LLC (MB Rail), a noncarrier, has filed a verified

¹ A copy of the lease with the interchange commitment was submitted under seal. See 49 CFR 1150.43(h)(1).

notice of exemption pursuant to 49 CFR 1180.2(d)(2) to control Vermilion Valley Railway Company, Inc., Camp Chase Rail, LLC, Youngstown & Southeastern Rail, LLC, and Chesapeake & Indiana Railroad Company (collectively, the IB Carriers).

MB Rail states that it controls the IB Carriers through a management agreement, under which it provides day-to-day management services and oversight. (See Verified Notice 1–3; see also *id.*, Ex. A at 1, 5 (management agreement became effective on January 1, 2021).) A related entity (MB Rail IB, LLC) sought and obtained Board authorization for its control of the IB Carriers in 2020, but MB Rail did not. See *MB Rail IB, LLC—Acquis. & Continuance in Control Exemption—Chesapeake & Ind. R.R.*, FD 36413 (STB served July 1, 2020). MB Rail now seeks after-the-fact authorization for its earlier acquisition of control.

The exemption will become effective on September 25, 2021 (30 days after the verified notice was filed).

According to the verified notice of exemption, MB Rail currently controls only the four IB Carriers. However, in a notice that is being served concurrently in *Midwest & Bluegrass Rail—Control Exemption—TransKentucky Transportation Railroad*, Docket No. FD 36530, MB Rail is also being authorized to control TransKentucky Transportation Railroad, Inc. (TransKentucky).¹

MB Rail represents that: (1) The IB Carriers do not connect to one another; (2) the transaction is not part of a series of anticipated transactions that would connect the IB Carriers with the rail lines of any carriers in MB Rail's corporate family; and (3) the transaction does not involve a Class I rail carrier. The proposed transaction is therefore exempt from the prior approval requirements of 49 U.S.C. 11323 pursuant to 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. However, 49 U.S.C. 11326(c) does not provide for labor protection for transactions under 49 U.S.C. 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

¹ In that docket, MB Rail states that the rail line owned and operated by TransKentucky does not connect to any of the IB Carriers. MB Rail Verified Notice 1, Aug. 27, 2021, *Midwest & Bluegrass Rail—Control Exemption—TransKentucky Transp. R.R.*, FD 36530.

If the verified 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 automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than September 17, 2021 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36413 (Sub-No. 1), should be filed with the Surface Transportation Board via e-filing on the Board's website. In addition, one copy of each pleading must be served on MB Rail's representative, Bradon J. Smith, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606.

According to MB Rail, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at www.stb.gov.

Decided: September 7, 2021.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Jeffrey Herzig,
Clearance Clerk.

[FR Doc. 2021–19574 Filed 9–9–21; 8:45 am]

BILLING CODE 4915–01–P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36530]

Midwest & Bluegrass Rail, LLC— Control Exemption—TransKentucky Transportation Railroad, Inc.

Midwest & Bluegrass Rail, LLC (MB Rail), a noncarrier, has filed a verified notice of exemption pursuant to 49 CFR 1180.2(d)(2) to acquire control of TransKentucky Transportation Railroad, Inc. (TransKentucky).

MB Rail states that TransKentucky owns and operates a rail line in Kentucky. MB Rail originally sought authorization to control TransKentucky in another docket, *Midwest & Bluegrass Rail, LLC—Control Exemption—TransKentucky Transportation Railroad*, Docket No. FD 36475. On August 26, 2021, MB Rail filed a motion to withdraw the verified notice in Docket No. FD 36475.

The transaction may be consummated on or after September 26, 2021, the effective date of the exemption (30 days after the verified notice was filed).

According to the verified notice of exemption, MB Rail currently controls four Class III carriers: Vermilion Valley Railroad Co., Inc.; Camp Chase Rail,

LLC; Youngstown & Southeastern Rail, LLC; and Chesapeake & Indiana Railroad Co., Inc. (collectively, the IB Carriers).¹

The verified notice indicates that: (1) The rail line owned and operated by TransKentucky does not connect with the rail lines of any of the rail carriers in MB Rail's corporate family; (2) the transaction is not part of a series of anticipated transactions that would connect the rail line owned and operated by TransKentucky with the rail lines of any carriers in MB Rail's corporate family; and (3) the transaction does not involve a Class I rail carrier. The proposed transaction is therefore exempt from the prior approval requirements of 49 U.S.C. 11323 pursuant to 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. However, 49 U.S.C. 11326(c) does not provide for labor protection for transactions under 49 U.S.C. 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

If the verified 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 automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than September 17, 2021 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36530, should be filed with the Surface Transportation Board via e-filing on the Board's website. In addition, one copy of each pleading must be served on MB Rail's representative, Bradon J. Smith, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606.

According to MB Rail, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at www.stb.gov.

Decided: September 7, 2021.

¹ MB Rail is receiving after-the-fact authorization to control the IB Carriers in a notice of exemption being served concurrently in *Midwest & Bluegrass Rail, LLC—Control Exemption—Vermilion Valley Railway*, FD 36413 (Sub-No. 1).