

corporate families; and (3) the transaction does not involve a Class I rail carrier. Therefore, the proposed transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

The earliest this transaction may be consummated is June 10, 2021, the effective date of the exemption (30 days after the verified notice was filed). The verified notice states that the parties do not intend to consummate the transaction until such time as SIT consummates the transaction that is the subject of its petition for exemption in Docket No. FD 36489.

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. Accordingly, the Board may not impose labor protective conditions here because all the carriers involved are Class III carriers.

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 to stay must be filed no later than June 3, 2021 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36490, should be filed with the Surface Transportation Board via e-filing on the Board's website. In addition, a copy of each pleading must be served on Applicants' representative, Robert A. Wimbish, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606-2832.

According to Applicants, 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](http://www.stb.gov).

Decided: May 24, 2021.

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

**Kenyatta Clay,**  
Clearance Clerk.

[FR Doc. 2021-11235 Filed 5-26-21; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[FAA-2021-0481]

#### NextGen Advisory Committee; Notice of Public Meeting

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation.

**ACTION:** Notice of public meeting.

**SUMMARY:** This notice announces a meeting of the NextGen Advisory Committee (NAC).

**DATES:** The meeting will be held virtually only, on June 21, 2021, from 1:00 p.m.–5:00 p.m. EDT. Requests to attend the meeting virtually and request for accommodations for a disability must be received by June 7, 2021. If you wish to make a public statement during the meeting, you must submit a written copy of your remarks by June 7, 2021. Requests to submit written materials, to be reviewed by NAC Members before the meeting, must be received no later than June 7, 2021.

**ADDRESSES:** The meeting will be a virtual meeting only. Virtual meeting information will be provided upon registration. Information on the NAC, including copies of previous meeting minutes, is available on the NAC internet website at [https://www.faa.gov/about/office\\_org/headquarters\\_offices/ang/nac/](https://www.faa.gov/about/office_org/headquarters_offices/ang/nac/). Members of the public interested in attending must send the required information listed in the **SUPPLEMENTAL INFORMATION** to 9-AWA-ANG-NACRegistration@faa.gov.

**FOR FURTHER INFORMATION CONTACT:** Greg Schwab, NAC Coordinator, U.S. Department of Transportation, at [gregory.schwab@faa.gov](mailto:gregory.schwab@faa.gov) or 202-267-1201. Any requests or questions not regarding attendance registration should be sent to the person listed in this section.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Secretary of Transportation established the NAC under agency authority in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, Public Law 92-463, 5 U.S.C. App. 2, to provide independent advice and recommendations to the FAA, and to respond to specific taskings received directly from the FAA. The NAC recommends consensus-driven advice for FAA consideration relating to Air Traffic Management System modernization.

##### II. Agenda

At the meeting, the agenda will cover the following topics:

- NAC Chairman's Report
  - FAA Report
  - NAC Subcommittee Chairman's Report
    - Risk and Mitigations update for the following focus areas: Multiple Runway Operations, Data Communications, Performance Based Navigation, Surface and Data Sharing, and Northeast Corridor
  - NAC Chairman Closing Comments
- The detailed agenda will be posted on the NAC internet website at least one week in advance of the meeting.

##### III. Public Participation

This virtual meeting will be open to the public on a first-come, first served basis. Members of the public who wish to attend are asked to register via email by submitting their full legal name, country of citizenship, contact information (telephone number and email address), and name of your industry association, or applicable affiliation. Please email this information to the email address listed in the **ADDRESSES** section. When registration is confirmed, registrants will be provided the virtual meeting information/teleconference call-in number and passcode. Callers are responsible for paying associated long-distance charges (if any).

**Note:** Only NAC Members, members of the public who have registered to make a public statement, and briefers will have the ability to speak. All other attendees will be able to listen only.

The U.S. Department of Transportation is committed to providing equal access to this meeting for all participants. If you need alternative formats or services because of a disability, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Five minutes will be allotted for oral comments from members of the public joining the meeting. This time may be extended if there is a significant number of members of the public wishing to provide an oral comment. To accommodate as many speakers as possible, the time for each commenter may be limited. Individuals wishing to reserve speaking time during the meeting must submit a request at the time of registration, as well as the name, address, and organizational affiliation of the proposed speaker. If the number of registrants requesting to make statements is greater than can be reasonably accommodated during the meeting, FAA may conduct a lottery to

determine the speakers. Speakers are required to submit a copy of their prepared remarks for inclusion in the meeting records and for circulation to NAC members to the person listed under the heading **FOR FURTHER INFORMATION CONTACT**. All prepared remarks submitted on time will be accepted and considered as part of the meeting's record.

Members of the public may submit written statements for inclusion in the meeting records and circulation to the NAC members. Written statements need to be submitted to the person listed under the heading **FOR FURTHER INFORMATION CONTACT**. Comments received after the due date listed in the **DATES** section, will be distributed to the members but may not be reviewed prior to the meeting. Any member of the public may present a written statement to the committee at any time.

Issued in Washington, DC, this 24 day of May 2021.

**Gregory E. Schwab,**

*Division Manager, NextGen Stakeholder Collaboration Division, ANG-M1, Office of the Assistant Administrator for NextGen, Federal Aviation Administration.*

[FR Doc. 2021-11229 Filed 5-26-21; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2012-0033]

#### Notice of Intent To Grant a Buy America Waiver to the California Department of Transportation (Caltrans) and the Illinois Department of Transportation (IDOT) To Purchase Up to 615 Workstation Tables

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of intent to grant FRA Buy America Waiver.

**SUMMARY:** FRA is issuing this notice to advise the public that it intends to grant Caltrans' and IDOT's request for a waiver from FRA's Buy America requirement, so that Siemens USA, the design, manufacturing, and delivery contractor, may purchase and install up to 615 non-domestic workstation tables that comply with certain design and safety standards for their single-level passenger railcars replacement project. Meeting these standards is required under the Passenger Rail Investment and Improvement Act of 2008 (PRIIA), and FRA's grant agreement with Caltrans and IDOT.

**DATES:** Written comments on FRA's determination to grant a Buy America waiver to Caltrans and IDOT should be provided to FRA on or before June 1, 2021.

**ADDRESSES:** Please submit your comments to the U.S. Government electronic docket site at <http://www.regulations.gov>, in docket number: FRA-2012-0033.

*Note:* All submissions received, including any personal information therein, will be posted without change or alteration to <http://www.regulations.gov>.

For more information, you may review DOT's complete Privacy Act Statement published in the **Federal Register** on April 11, 2000 (65 FR 19477).

**FOR FURTHER INFORMATION CONTACT:** Faris Mohammed, Attorney-Advisor, Office of Chief Counsel, telephone: (202) 493-7064, email: [Faris.Mohammed@dot.gov](mailto:Faris.Mohammed@dot.gov).

**SUPPLEMENTARY INFORMATION:** The purpose of this notice is to provide the public with information related to FRA's intent to grant a waiver to Caltrans and IDOT from FRA's Buy America requirement, pursuant to 49 U.S.C. 22905(a)(2), to allow the use of up to 615 non-domestic workstation tables.

#### Background

Caltrans and IDOT were awarded five separate grants from FRA to purchase rolling stock, including single-level passenger railcars, for use in intercity passenger rail service (Project). Caltrans and IDOT entered into a contract with Sumitomo Corporation of Americas (SCOA) to produce and deliver the railcars; SCOA entered into a subcontract with Siemens USA to manufacture the railcars. Siemens contracted with Baker Bellfield, a company headquartered in the United Kingdom (UK), to manufacture in the United States 615 workstation tables for the Project.

Like other European suppliers that Siemens has brought to the U.S. rail market, Baker Bellfield has committed to locate its production facility near the Siemens manufacturing facility in Sacramento, California. Baker Bellfield has already signed a lease for a property. Following localization, tables manufactured by Baker Bellfield at its facility in Sacramento would comply with FRA's Buy America requirements and would be installed in the FRA-funded passenger railcars.

Baker Bellfield intended to begin manufacturing the tables at its planned U.S. facility the week of March 9, 2020. However, due to complications relating

to the coronavirus disease 2019 (COVID-19) pandemic (e.g., travel restrictions and restrictions on operating non-essential businesses), Baker Bellfield has been unable to open its Sacramento manufacturing facility on schedule. To meet contractual delivery schedules, Siemens proposes purchasing up to 615 tables made by Baker Bellfield in its UK-based facility, which do not comply with FRA's Buy America requirements. Once COVID-19 restrictions are lifted, Baker Bellfield intends to complete localization.

On July 23, 2020, Caltrans and IDOT requested a waiver<sup>1</sup> from FRA's Buy America requirement for up to 238 workstation tables. Due to delays related to the continuing pandemic, Caltrans and IDOT increased the request to 615. For the reasons stated below, FRA grants a non-availability waiver to Caltrans and IDOT.

#### Buy America Requirement

With certain exceptions, FRA's Buy America Act requires that "the steel, iron, and manufactured goods used in the project are produced in the United States." 49 U.S.C. 22905(a)(1). FRA's requirements apply without regard to the source of funds.

If Caltrans and IDOT do not receive a waiver, they may not acquire goods for use in the Project that are not consistent with Section 22905(a)(1), even if they do not propose to use Federal funds. However, FRA may waive this requirement if it determines:

(A) Applying [FRA's Buy America requirements] would be inconsistent with the public interest; (B) the steel, iron, and goods produced in the United States are not produced in a sufficient and reasonably available amount or are not of a satisfactory quality; (C) rolling stock or power train equipment cannot be bought and delivered in the United States within a reasonable time; or (D) including domestic material will increase the cost of the overall project by more than 25 percent.

In addition to the Buy America statute, FRA's action is subject to Executive Order 14005 *Ensuring the Future is Made in All of America by All of America's Workers*, 86 FR 7475 (January 28, 2021). Consistent with Executive Order 14005, FRA evaluated the waiver request, and sought input from the public, to determine whether Caltrans and IDOT had sought to maximize the use of goods, products, and materials produced in the United States.

<sup>1</sup> The Caltrans and IDOT waiver request is available at: <https://railroads.dot.gov/elibrary/calidot-workstation-table-buy-america-waiver-request>.