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*Director, Office of Ocean and Polar Affairs,
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[FR Doc. 2024–29427 Filed 12–12–24; 8:45 am]

BILLING CODE 4710–09–P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36819]

MSE Holding Company—Intra-Corporate Family Control Exemption—Mississippi Export Railroad Company and Alabama Export Railroad, Inc.

MSE Holding Company (MSE Holding) has filed a verified notice of exemption for an intra-corporate family transaction under 49 CFR 1180.2(d)(3) to authorize its proposed control of two Class III rail carriers, Mississippi Export Railroad Company (MSE) and Alabama Export Railroad, Inc. (ALE) (collectively, the Export Roads). The verified notice states that MSE owns and operates approximately 42 miles of rail line between Evanston, Miss., and Pascagoula, Miss., and ALE leases and operates approximately 12 miles of rail line in Mobile, Ala. According to the verified notice, ALE is currently a wholly owned subsidiary of MSE. *See Miss. Exp. R.R.—Continuance in Control Exemption—Ala. Exp. R.R.*, FD 36320, slip op. at 1 (STB served Aug. 30, 2019).

MSE Holding states that the shareholders of MSE intend to reorganize the corporate family¹ (the Reorganization) such that the Export Roads will become sister subsidiaries of MSE Holding, which is a newly formed, noncarrier holding company. According to the verified notice, under the Reorganization, each shareholder of MSE—none of whom individually control MSE²—will become a shareholder of MSE Holding. MSE will become a subsidiary of MSE Holding, and current MSE shares will be exchanged for shares of MSE Holding on a one-to-one basis such that no shareholder will control MSE Holding. MSE Holding further states that MSE will transfer its ALE shares to MSE Holding. Accordingly, MSE Holding seeks Board authority to control MSE and ALE. The verified notice states that that the Reorganization will be carried

out pursuant to an agreement dated November 26, 2024.³

Unless stayed, the exemption will be effective on December 27, 2024 (30 days after the verified notice was filed).

The verified notice states that the proposed transaction will not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with carriers outside the corporate family. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. *See* 49 CFR 1180.2(d)(3).

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 rail 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 for stay must be filed no later than December 20, 2024 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36819, 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 MSE Holding's representative: Bradon J. Smith, Fletcher & Sippel LLC, 29 N. Wacker Drive, Suite 800, Chicago, IL 60606.

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

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

Decided: December 10, 2024.

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

Stefan Rice,
Clearance Clerk.

[FR Doc. 2024–29401 Filed 12–12–24; 8:45 am]

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SURFACE TRANSPORTATION BOARD

[Docket No. AB 541 (Sub–No. 5X)]

Portland & Western Railroad, Inc.—Abandonment Exemption—in Washington County, Or.

Portland & Western Railroad, Inc. (PNWR), has filed a verified notice of exemption under 49 CFR part 1152 subpart F—Exempt Abandonments to abandon approximately 4,111 feet of rail line extending between milepost 31.3 and milepost 32.2 in Tigard, Or. (the Line).¹ The Line has no stations and it traverses U.S. Postal Service Zip Code 97223.

PNWR has certified that: (1) no local or overhead freight traffic has moved over the Line since 2007; (2) there is no overhead traffic 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 on behalf of such user) regarding cessation of service over the Line is pending with either the Surface Transportation Board (Board) or 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 government 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.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received,² this exemption will be effective on January 12, 2025, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,³

¹ PNWR states that it owns a perpetual freight easement for the Line and that the underlying property is owned by the Oregon Department of Transportation.

² 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).

³ 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)

Continued

¹ The verified notice states that the Export Roads are the only rail carriers in the corporate family. *See also Miss. Exp. R.R.*, FD 36320, slip op. at 2 n.2.

² *See Miss. Exp. R.R.*, FD 36320, slip op. at 1 n.1.

³ A copy of the agreement, referred to as the Plan of Reorganization and Agreement of Merger, is attached to the verified notice as Exhibit B.

formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2), and interim trail use/railbanking requests under 49 CFR 1152.29 must be filed by December 23, 2024.⁴ Petitions to reopen and requests for public use conditions under 49 CFR 1152.28 must be filed by January 2, 2025.

All pleadings, referring to Docket No. AB 541 (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 PNWR's representative, Justin J. Marks, Clark Hill PLC, 1001 Pennsylvania Ave. NW, Suite 1300 South, Washington, DC 20004.

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

PNWR 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 December 20, 2024. 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. If you require an accommodation under the Americans with Disabilities Act, please call (202) 245-0245. 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/railbanking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), PNWR 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 PNWR's filing of a notice of consummation by December 13, 2025, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

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Decided: December 10, 2024.

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.

⁴ Filing fees for OFAs and trail use requests can be found at 49 CFR 1002.2(f)(25) and (27), respectively.

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

Zantori Dickerson,
Clearance Clerk.

[FR Doc. 2024-29378 Filed 12-12-24; 8:45 am]

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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket Nos. USTR-2024-0021 and USTR-2024-0022]

Initiation of Section 301 Investigation, Hearing, and Request for Public Comments: Nicaragua's Acts, Policies, and Practices Related to Labor Rights, Human Rights, and Rule of Law

AGENCY: Office of the United States Trade Representative (USTR).

ACTION: Notice of initiation of investigation, hearing, and request for comments.

SUMMARY: The U.S. Representative has initiated an investigation of Nicaragua's acts, policies, and practices related to labor rights, human rights, and the rule of law. The inter-agency Section 301 Committee is holding a public hearing and seeking public comments in connection with this investigation.

DATES:

December 10, 2024: The date the U.S. Trade Representative initiated the investigation.

January 8, 2025, at 11:59 p.m. EST: Deadline for submitting written comments and requests to appear at the hearing. The request to appear must include a summary of testimony.

January 16, 2025: The Section 301 Committee will convene a public hearing in the main hearing room of the U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, beginning at 10 a.m. If necessary, the hearing may continue on the next business day.

January 23, 2025, at 11:59 p.m. EST: Deadline for submitting post-hearing rebuttal comments.

ADDRESSES: Submit documents in response to this notice, including written comments, hearing appearance requests, summaries of testimony, and post-hearing rebuttal comments through the appropriate online USTR portal at: <https://comments.ustr.gov/s/>.

FOR FURTHER INFORMATION CONTACT:

Megan Grimbail and Philip Butler, Chairs of the Section 301 Committee; Leigh Bacon, Chief Counsel for Negotiations, Legislation, and Administrative Law; or Henry Smith and Erin Biel, Assistant General Counsels, at 202.395.5725.

SUPPLEMENTARY INFORMATION:

I. Background

Numerous credible reports by the U.S. Government and United Nations bodies document that the Government of Nicaragua has engaged in persistent attacks on labor rights, human rights, and the rule of law. These actions include politically-motivated arrests and imprisonments, repression of members of religious groups and non-governmental organizations, extrajudicial killings, cruel, inhuman or degrading treatment, restrictions on freedom of expression and movement, violence against members of marginalized groups, repression of freedom of association and collective bargaining, forced labor, human trafficking, eliminating legislative and judicial independence, spurious seizures of property, arbitrary fines and rulings, and other harmful acts. The Nicaraguan Government's increasing and pervasive labor and human rights violations and dismantling of the rule of law may, directly or indirectly, impact U.S. workers and companies, including through the exploitation of workers, harming both Nicaraguans directly and U.S. workers and businesses indirectly through unfair competition; by negatively impacting the Nicaraguan economy and market, with lost sales and exports for U.S. enterprises; and by lost investment and business opportunities for U.S. workers and companies, including through the creation of a high-risk environment to invest or conduct business.

II. Initiation of Section 301 Investigation

Section 302(b)(1)(A) of the Trade Act of 1974, as amended (Trade Act), authorizes the U.S. Trade Representative to initiate an investigation to determine whether an act, policy, or practice of a foreign country is actionable under section 301 of the Trade Act. Actionable matters under section 301 include acts, policies, and practices of a foreign country that are unreasonable or discriminatory and burden or restrict U.S. commerce. An act, policy, or practice is unreasonable if, while not necessarily in violation of, or inconsistent with, the international legal rights of the United States, it is otherwise unfair and inequitable. Unreasonable acts, policies, and practices include any act, policy, or practice, or combination thereof, that constitutes a persistent pattern of conduct that denies workers the right of association, denies workers the right to organize and bargain collectively, permits any form of forced or